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ROTHBARD'S INTELLECTUAL POWER

Murray N. Rothbard e l'anarco-capitalismo americano

ROBERTA A. MODUGNO
RUBBETTINO, 1998, 207 PGS.

Roberta Modugno has analyzed the work of Murray Rothbard from the standpoint of her professional specialty, the history of political thought. (She is a student of the distinguished Italian philosopher and classical liberal Dario Antiseri, by whose thought she has been greatly influenced.) By approaching Rothbard in this way, she casts new light on a vital question.

What is the true nature of classical liberalism? What are the underlying principles of this key element in European thought?

As Modugno shows, Rothbard's doctrine of anarcho-capitalism responds to these questions in a way that finds considerable support within the liberal tradition. One may at first be inclined to dismiss Rothbard as an extremist—can he really think we can do away with government altogether?—but if we are at all in sympathy with the tenets of classical liberalism, escape from Rothbard's conclusions is difficult.

Modugno shows that Rothbard's anarchism emerges by combining two main claims of classical liberalism, one methodological and one ethical.

First, classical liberals have maintained that social and political entities cannot act apart from the individuals who compose them. The state is not, as Hegel said,

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"the march of God in the world": it is no more than individuals who interact socially in certain ways. As our author notes: "Society, the government, the nation, are only abstract auxiliary concepts and one must be careful not to confuse abstractions with reality" (p. 122, translation mine).

Not only is methodological individualism a precept of classical liberalism, it is quite obviously true. Few indeed would today assert, with Mises's old nemesis Othmar Spann, that individuals are mere precipitates from antecedently existing social wholes. The "We" stems from a union of "I's," not, as Spann had it, the other way round.

But, granted the truth of the individualist premise, what political conclusions follow from it? Would not everyone, except for the most benighted collectivist, accept our methodological principle? No doubt; but, as Modugno abundantly shows, when this premise joins forces with another basic premise of classical liberalism, radical results ensue.

No one can deny that a basic tenet of at least one central variety of classical liberalism is self-ownership. Each person owns himself: he may accordingly acquire unowned property by mixing his labor with it. Further, if each person owns himself, it is wrong for anyone to initiate force against someone else. To do so violates the victim's right of self-ownership.

This principle, as Modugno succinctly makes clear, is no invention of Rothbard's but derives from John Locke, unquestionably a father of classical liberalism. Nevertheless, it is Rothbard's merit to have seen, more clearly than any previous writer, what follows from accepting it. As our author says, "the Lockean concept of property in oneself can be considered the keystone of the Rothbardian intellectual edifice" (p. 61).

If each person owns himself, and no one may aggress against another, no scope for involuntary government remains.

If each person owns himself, and no one may aggress against another, no scope for involuntary government remains. Once stated, the conclusion seems obvious; but prior to the individualist anarchists of whom Rothbard is the most thoroughgoing and consistent, this conclusion had escaped notice.

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An objection at once arises. Would society not be utterly impossible without a state? Would not an individualist anarchist community quickly lapse into a Hobbesian predicament where life is "nasty, brutish, and short"? Rothbard of course did not think so; and our author carefully delineates how Rothbard thought an anarchist society might provide itself with such essentials as defense and police protection.

The author carefully delineates how Rothbard thought an anarchist society might provide itself with essentials.

But Rothbard's case for anarchism did not rest principally on the contention that an anarcho-capitalist society supplies these essentials better than any alternative; this claim is merely supplementary. As Modugno emphasizes, Rothbard's claim rests much more on natural law than on utility. A system of Lockean property rights, and the anarchism that goes with it, commands our acceptance because it follows from the self-ownership principle. Modugno notes that Rothbard's criticism of "the utilitarian tradition of Bentham and Hume" lies principally in his insistence on "the question of the legitimate origin of private property" (p. 64). For Hume and Bentham utility demands that property rights be stable, but the justice of the initial distribution does not matter. For Rothbard, it is of vital concern.

Given the principle of self-ownership, why need Rothbard also insist on methodological individualism? Absent the latter, his system would stand vulnerable to this objection: even if individuals own themselves, what if there also exist non-individual bearers of rights? Perhaps their rights limit the liberties of individuals to acquire property. The individualist postulate ensures that we need not worry about such chimeras; thus a potential danger to Rothbard's system is averted.

Self-ownership leads, if carried to its logical conclusion, to anarchism. But is this not a drastic step, to be avoided at almost all costs? Must we not revisit either our initial premise or the validity of our deductions from it? Rothbard, to the contrary, welcomed the radical conclusion to which his argument led. Given the view of the state in the tradition Rothbard adopted, his attitude should occasion no surprise.

In the view in question, the state is, in Albert Jay Nock's phrase, "our enemy." Far from being an indispensable means to survival, the state acts as an impediment to social cooperation. Modugno cites in this connection not only Nock, Lysander Spooner, and Benjamin Tucker, but also Thomas Paine. The great American revolutionary maintained "that the spontaneous interaction of individuals in society suffices to bring

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about order and harmony" (p. 10). (Unlike Spooner, Tucker, and Rothbard, Paine shrank from fullfledged anarchism.)

Here is where we stand. An intuitive plausible ethical principle, self-ownership, supports individualist anarchism, since an individual cannot be bound involuntarily to a government without his consent. Our principle receives support from a commonsense principle of method, and our conclusion seems less paradoxical when placed within an anarchist tradition of viewing the state as a predator.

Some writers, sympathetic to Rothbard's starting point, have attempted to avoid his far-reaching conclusions.

Nevertheless, paradoxical it remains; and some writers, sympathetic to Rothbard's starting point, have attempted to avoid his farreaching conclusions. Foremost among these is Robert Nozick; and one of the highlights of the book is our author's brief but decisive examination of his claims.

As Nozick sees matters, individuals in a society that acknowledges self-ownership would find it both rational and moral to "back into" a minimal state. With the complicated details of Nozick's derivation, we are not here concerned. Suffice it to say that he thinks a dominant protection agency would suppress competing agencies that sought to impose risky decision procedures on its clients. As a result, the dominant agency would become, *de facto*, the sole effective agency exercising force—in other words, a state.

Modugno locates a crucial and eminently contestable aspect of Nozick's argument. The picture of protection agencies battling to eliminate each other hardly comports with the general respect for self-ownership that Nozick introduces as a premise. "Thus, the rationale for this prohibition [of risky decision procedures] is based on a Hobbesian conception of society" (p. 93). Would not protection agencies that truly respected Lockean principles have to seek agreement over a dispute about proper legal procedures, rather than resort to force? And in this case, would we ever arrive at a minimal state?

Our author discusses the principles of an anarcho-capitalist society in considerable detail. Owing to considerations of space, I shall confine myself to one example. Rothbard sharply distinguishes between morality and legality. Only action that involves force or fraud may be dealt with by coercion. To respond, say, to a threat of blackmail with force violates the blackmailer's right to freedom from aggression.

People must, then, on Rothbard's principles respond to non-invasive immoral actions without using force.

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But can immorality be adequately combated under this limitation? Our author manifests concern for certain groups who *prima facie* stand vulnerable to the depredations of others. Rothbard's requirement that immoral behavior, unless itself violent, be met only peacefully, she writes, "presents no small problem for those concerned with the care of the weak, especially children" (pp. 67–68).

Does the Rothbardian restriction unacceptably permit exploitation of the vulnerable? Our author does not herself offer an explicit response: she confines herself to a brief discussion by way of contrast with Rothbard, of the views of Karl Popper and Antiseri.

Does the Rothbardian restriction unacceptably permit exploitation of the vulnerable?

Rothbard would, I think, in answer to her query advert to his jaundiced view of the state. If our concern is to protect the vulnerable, can we rely on the state to enforce morality? History, he would say, gives no reason to think the state can act effectively in this area—quite the contrary. Popper and Antiseri, one gathers, size up the risks and costs of state intervention otherwise.

Roberta Modugno has written a remarkably thorough and incisive account of Murray Rothbard's thought. She has shown, better than anyone else, Rothbard's place in the classical liberal tradition. And that is no small achievement. ✦

The Great Treatise at 50

The Scholar's Edition of *Human Action*

Ludwig von Mises
Ludwig von Mises Institute,
[1949] 1998, xxxvii + 912 pgs.

There are two ways to read Mises's great treatise. Most readers will, I fear, find the book too much to attempt to grasp systematically. Not everyone feels like reading a nine-hundred-page book straight through. If you shrink from a full confrontation with the book, you will, as I hope to show, miss out on a great deal. But all is not lost. You can open the book almost anywhere and come away with new insights.

As an example, Mises demolishes the central core of Marxist economics in a few brilliant pages. Marx famously claimed to have discovered the "laws of motion" of capitalism. How does the capitalist transform his initial monetary investment into a larger sum of

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money at the close of production? For Marx, the answer did not lie in trickery.

Quite the contrary, Marx claimed to show that the capitalist could extract profit even if all commodities exchanged at their value. The capitalist buys labor and raw materials at their value and sells the product manufactured with their aid at its value. Why does it turn out that the second sum is greater than the first? Why, in other words, are not the prices of the factors of production bid up to absorb anticipated profits?

The answer, Marx thought, lies in the exploitation of labor. By the labor theory of value, which Marx professed, all goods exchange at the value of the labor required to produce them. Labor, then, obtains as wages what is required to produce the laborer. In brief, labor earns a subsistence wage.

Once the capitalist has purchased labor, his fortune is made. He now gets whatever value the labor he has purchased adds to his raw materials. (Remember, in Marx's theory labor is the source of economic value.) In the usual case, this value exceeds the subsistence costs of labor. The result of this surplus, which Marx terms the rate of exploitation, is profit, and our pretended Newton on economics has here unveiled his new scientific law.

I have gone on at some length about labor exploitation, as this notion is vital to Marxism. Destroy it, and the whole of Marxist economics collapses. And this is just what Mises proceeds to do. He at once locates the central fallacy in Marx's argument.

Even if one accepts the labor theory of value, Marx's explanation of wages fails. Except under special conditions, the price of labor is not determined by the costs of subsistence. "The 'iron law of wages' and the essentially identical Marxian doctrine of the determination of 'the value of labor power' by 'the working time necessary for its production'...are the least tenable of all that has ever been taught in the field of catallactics .... [I]f one sees in the wage earner merely a chattel and believes that he plays no other role in society, if one assumes that he aims at no other satisfaction than feeding and proliferation ...one may consider the iron law as a theory of the determination of wage rates" (p. 602).

The notion of labor exploitation is vital to Marxism. Destroy it, and the whole of Marxist economics collapses.

The conditions required for Marx's view to hold practically never obtain, as Marx himself had to admit. Workers' wages under capitalism rise far above subsistence. Rather than acknowledge that his theory failed, Marx changed its terms. He now contended that what constitutes subsistence is a question of history: for workers in a given society,

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"subsistence" may mean relative luxury. As Mises mordantly notes, this is to abandon completely the attempt at a theory of wages. "What he [Marx] has in mind is no longer the 'indispensable necessaries,' but the things considered indispensable from a traditional point of view.... The recourse to such an explanation means virtually the renunciation of any economic or catallactic elucidation of the determination of wage rates" (p. 603).

To escape from Darwinian struggle, man must take advantage of social cooperation through the division of labor. Here, in Mises's view, lies the key to civilization.

Let us turn from Marx to the fall of the Roman Empire. (As we shall later see, the topics are linked.) Why did the Roman Empire, long able to contain barbarian assaults, eventually fall victim to them? Mises finds the answer in an unexpected place: economics. By the second century A.D., the Roman Empire had developed into a complex economy. "The various parts of the empire were no longer economically self-sufficient. They were mutually interdependent" (p. 761).

Unfortunately, governmental interference crippled the economy, thus opening the way for invaders. Price control and currency debasement were the chief culprits: "The Roman Empire crumbled to dust because it lacked the spirit of liberalism and free enterprise. The policy of interventionism... decomposed the mighty empire as it will by necessity always disintegrate and destroy any social entity" (p. 763). Mises's account extends the analysis of Mikhail Rostovtzeff, whom he cites.

I have so far imagined a reader who dips into the book sporadically and tried to show how he can expect to find insight after insight. But such a reader will miss much. *Human Action* is unified by a central theme, which Mises always bears in mind.

Mises saw human beings as faced with a fundamental choice. Nature provides man with no automatic sustenance; and, if confined to living in small groups, human beings will find life hardly worth living. But the situation is not entirely bleak.

To escape from Darwinian struggle, man must take advantage of social cooperation through the division of labor. Here, in Mises's view, lies the veritable key to civilization. But how can human societies best take advantage of the division of labor?

In the answer to this question lies Mises's central point. Only if a method of calculation exists can human beings in a complex society take full advantage of the division of labor. Alternatives

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must be compared with one another, if people are to know how best to fulfill their desires for goods and services; and this can be done only if the alternatives can be reduced to a common denominator for assessment. This, in turn, can be accomplished only through market prices.

Now it is apparent that the two insights discussed above, far from being random remarks, fit exactly into Mises's central strategy. The Marxist system proposes the destruction of capitalism—hence it must be rooted out and destroyed. Even more directly, Mises's comments on the Roman history illustrate his principal thesis—interfere with economic calculation, and you are sunk.

Once you have grasped Mises's leitmotif, everything falls into place, and the book takes on a relentless quality as Mises hammers home his case. Another illustration of the way in which Mises elaborates his theme of capitalism and calculation must here suffice.

Controversy over the effects of the Industrial Revolution on the standard of living of the working class has been a staple of modern historiography. Such eminences as E.P. Thompson and Eric Hobsbawm paint the plight of the working class in somber hues. (I do not think it altogether a coincidence that both of these writers once found a welcome haven in the British Communist Party.)

Mises refuted these supposed authorities in advance, with a simple but devastating point. Population in eighteenth-century Britain increased greatly. Unless the new industrial system was indeed more able than its predecessor to supply the wants of the workers, no such increase in numbers could have taken place. "But let us not forget that in 1770...England had 8.5 million inhabitants, while in 1831...the figure was 16 million. This conspicuous increase was mainly conditioned by the Industrial Revolution" (p. 617).

Economics teaches that without a free-market economy, civilization cannot exist.

The Scholar's Edition of *Human Action* reprints the first edition of Mises's great work. As Jeffrey Herbener, Hans Hoppe, and Joseph Salerno make clear in their excellent introduction, this edition is superior to the later redactions—second thoughts are not always best. Its treatment of monopoly price includes important passages later dropped, and only this edition contains Mises's brilliant account of the Nazi barter agreements (pp. 796–99). The Scholar's Edition is even better than the original 1949 printing since it includes the aforementioned introduction comparing the various editions. Further, the book has been beautifully printed, as befits a work of this stature. ✦

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In Praise of Centralism

A New Birth of Freedom: Human Rights Named and Unnamed

Charles L. Black, Jr.
Yale University Press, [1997] 1999,
xx + 176 pgs.

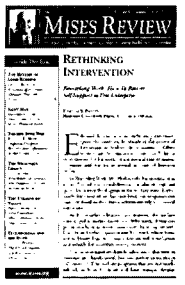
As soon as you glance at this book's dedication, you know that you are in for it: "To the sacred memory of Abraham Lincoln." Mr. Black long held court at the Yale Law School: according to Philip Bobbitt's fawning introduction, Mr. Black was regarded as "the only certified genius" at that institution (p. xii). Well, our author certainly has a genius for promoting judicial dictatorship.

Like his hero Lincoln, Mr. Black wishes to destroy the power of the states. All must be subordinated to our masters in Washington. Oddly, Mr. Black specialized in the structure of American government: evidently, "study" and "subversion" are for him synonymous terms.

The states, it seems, are the chief obstacles to liberty: "Attempts at book-banning, *de jure* or *de facto* racial segregation, the prohibition of the teaching of evolution...are things mostly undertaken by state and local governments.... If the national 'privileges and immunities' are not good against the states and their subdivisions...then we have set up nothing but a beeswax simulacrum of a free nation.... It was just that kind of result that the Civil War was in the deepest sense fought and won to prevent. Such a concept is death to Abraham Lincoln's sacred prophecy, at Gettysburg, that this nation as a nation, might have a 'new birth of freedom'" (p. 33).

The states, then, are the enemy. It seems not to have occurred to our Certified Genius that the Civil War perhaps restricted civil liberties just a little more than school boards chary of Darwin. But is there not a slight obstacle in Mr. Black's path? Does not the very constitution he purports to expound set up a regime in which the states are, at least for some purposes, sovereign? What happened to the Tenth Amendment?

Our author is not to be gainsaid: we have a national government, not one that consists of independent states. The Tenth Amendment, which reserves all powers not delegated by the Constitution to the states, is not a part of Mr. Black's Constitution: he never mentions it in the book. Instead, he deploys some bad arguments designed to undercut state sovereignty.



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For one thing, he tells us, "[T]he myth of state sovereignty ought to have been seen to be obsolete when the first state was admitted to the Union out of territory already belonging to the nation (Kentucky, I make it, in 1792)" (pp. 127–28). Here is an argument breathtaking in its inconsequence. The states constituted out of federal territory are now, by hypothesis, states. How does anything at all follow about what powers the states have from the fact that some were once territories? By similar "reasoning," one could show that since the original thirteen states were once colonies, they are not sovereign either.

Mr. Black does have a slightly better argument, which he next trots out. "Indeed, from 1788 on, state 'sovereignty' was a paradoxical puzzle, for the states were subjected to the supremacy of national law by the Constitution.... They were from the beginning denied powers pertaining to 'sovereignty'—coining money, making treaties, engaging in war.... The core power of 'sovereignty'—stating what shall be the 'supreme law of the land'—was denied by Article VI of the Constitution of 1788. It's been downhill for state 'sovereignty' ever since" (p. 128).

What is at issue between defenders of states' rights and their nationalist opponents? Not even the most stalwart advocate of the states, not John C. Calhoun himself, denied that the United States is a nation. The key question rather is exactly what this fact entails.

Has all power been surrendered to the central government? The texts cited by Mr. Black do not suggest an affirmative answer. They cede certain defined powers to the federal authorities: others, according to the Tenth Amendment are retained. It is precisely this division of functions that proponents of states' rights have in mind by their talk of sovereignty.

Like his hero Lincoln, Mr. Black wishes to destroy the power of the states.

Perhaps Mr. Black's contention is that sovereignty cannot be divided. If so, he begs the question: why must we accept the European notion of absolute and undivided sovereignty? I should have thought the peculiar genius of the American system was to do away with European absolutism.

Nor is our author's citation of the Supremacy Clause to the point. The contention of the anti-centralists is not that the states are supreme over the Constitution; it is rather that this very document divides sovereignty between the states and the federal government.

Mr. Black, it is clear, does not like the states. But what is it that he wishes the expansive national government he favors to do? He thinks that only the federal government can adequately define, develop, and enforce individual

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rights: to him, national power is a way to ensure liberty.

How is the federal government to accomplish this wonderful mission? Our author relies on three principal provisions of the law to found his regime of rights. In first place stands the Declaration of Independence. It famously says that "all men are endowed with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

What more do we need? Do not the words "pursuit of happiness" give the federal government, especially the Supreme Court, the power to interfere with the states, to whatever extent it deems necessary, in order to block censorship and make sure the kiddies learn about Darwin? What could be clearer?

Perhaps you think I exaggerate, in a childish attempt to make Mr. Black's thesis look silly. Quite the contrary, he conjures up a right to a decent standard of living out of "pursuit of happiness": to this brainstorm he devotes an entire chapter (Chapter 5, "The Constitutional Justice of Livelihood").

There is, I am afraid, one small problem with Mr. Black's theory. The Declaration of Independence has no force as a grant of power independent of the Constitution. The question was explicitly raised by Justice Story, who took the view of the Declaration I have suggested; and constitutional case law has never relied on the Declaration to grant the federal government power.

Justice Story be hanged! Mr. Black never mentions the Justice's view: if the Tenth Amendment can be expunged, the Justice is but a minor matter. As one would by now anticipate, Mr. Black has another story: "It is my own view that the doctrine of the Declaration should be taken to have the force of law—the force of law in general commitments from which particular law can be derived" (p. 8).

If you don't like this, do not despair: Mr. Black's ever fertile mind has something else ready at hand. The Ninth Amendment provides, "The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people" (p. 10).

Mr. Black conjures up a right to a decent standard of living out of "pursuit of happiness."

Can you guess our author's argument? Among the rights retained by the people, he holds, is the right to the pursuit of happiness. This right is to be defined and enforced by the federal government against the states. One begins to suspect that Mr. Black has a bee in his bonnet about a certain phrase in the Declaration.

Mr. Black deserves praise for rejecting the "inkblot" theory of the Ninth Amendment. In this view, advocated by

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Robert Bork (whom our author does not deign to mention), no one knows what rights the Ninth Amendment was supposed to protect. It is as if an ineradicable inkblot had been spattered over the text; hence judges must in their decisions ignore the Amendment.

Mr. Black goes wrong, as it seems to me, in thinking that the Amendment gives the Federal government power to act against the states. Would this not fly in the face of the Tenth Amendment? No doubt an inkblot in his copy of the Constitution has hidden this amendment from our author's perusal.

Aside from the Tenth Amendment, was not the whole purpose of the Bill of Rights to limit the central government as against the states? Even Mr. Black knows full well that the First Amendment restricts Congress, not the states; but this renowned structuralist cannot read the first ten amendments in their context. Hence, he misses their anti-nationalist point.

Even Mr. Black knows that the First Amendment restricts Congress, not the states.

There is something more than a little strange in Mr. Black's procedure. For his view of the Declaration and Ninth Amendments as sources for federal power, he supplies no case law. In

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effect, he says, "I, certified genius of Yale that I am, have discovered provisions in the Constitution that have never been interpreted properly before. By a happy coincidence, these provisions support my leftist predilections." The image of a constitutional lawyer as a magician, extracting hitherto unnoticed rabbits from a well-worn hat, strikes one as bizarre.

Our author, admittedly, is not without further resources. He also appeals to the "privileges and immunities" clause of the Fourteenth Amendment. He cites a dictum of Justice Bushrod Washington (George Washington's nephew) to hold that "privileges and immunities" means—surprise—the rights mentioned in the Declaration.

Once more, our author faces a problem. He wants the phrase "privileges and immunities" to support strong claims for the federal government to act against the states. But, as usual, the law is against him. In the famous *Slaughterhouse Cases* (1871), the Supreme Court narrowly limited the scope of the contested phrase; and subsequent decisions of the Court have left this precedent intact.

Mr. Black cannot contain himself when he discusses the majority verdict in the *Slaughterhouse Cases*. If you think that I make unkind remarks in my reviews, you should read what he says: "This is probably the worst holding, in its effect on human rights, ever uttered by the Supreme Court" (p. 55).

Readers must judge for themselves Mr. Black's convoluted account of the privileges and immunities clause. His whole argument depends on the premise that the Fourteenth Amendment aimed to abolish the rights of the states altogether. If you do not think so, but on the contrary believe the powers of the central government should be strictly construed, then you are a Calhounite. And of course Calhoun's views are self-evidently immoral. "Until I placed the quoted words from Calhoun's 1833 Senate speech alongside the result in the *Slaughterhouse Cases*, I had thought Calhoun to be simply a rather unappealing antiquity. He believed human slavery was a positive good" (p. 81).

Mr. Black reasons thusly: Calhoun supported states' rights. Thus, if you support states' rights, you are a Calhounite. As everyone knows, Calhoun favored slavery. But since you are a Calhounite, you too favor slavery. See what happens if you want to limit federal power! I shall leave this logic for our certified genius from Yale. It is too much for me. ✦

The image of a constitutional lawyer as a magician, extracting hitherto unnoticed rabbits from a well-worn hat, strikes one as bizarre.

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New But Not Improved

In Defense of Natural Law

Robert P. George
Clarendon Press, Oxford, 1999,
343 pgs.

I approached this book with considerable sympathy. Murray Rothbard rested much of his *Ethics of Liberty* on the foundation of Thomist natural law. Would it not be excellent to have a sophisticated defense of this moral theory? Further, the author, a professor of politics at Princeton, combines two qualities rarely yoked together. He has an extensive and sophisticated grasp of the literature of analytic moral philosophy. Nevertheless, he rejects contemporary liberalism's usual defenses. Who could ask for more?

Unfortunately, Dr. George is not the philosopher for whom we have all sought anxiously. His political philosophy is resolutely statist, and his version of natural law is not the genuine article. Rather, it is a bizarre concoction brewed by Germain Grisez, John Finnis, and their many collaborators. In fairness to them, they think their position faithfully expounds and develops Aquinas. I hope their historical contention fails, as it would be a shame to think a great philosopher capable of such nonsense.

Most of the book's chapters address issues outside the scope of political philosophy, but our author tips his hand in Chapter 12, "Natural Law and International Order." Here we learn that a world government is the order of the day. "Does this mean that natural law theory, as applied to the problems of today, envisages the institution of a world government? The answer is, I think, 'yes'; however, it is subject to certain clarifications and, perhaps, qualifications" (p. 236).

This is not a good start; and, when one sees what the world government is supposed to do, our misgivings increase. International action is needed "to promote the economic development of poor nations"; further, "global environmental problems such as ozone depletion, oceanic pollution and mass deforestation, simply do not admit of effective solutions without substantial international cooperation" (p. 236). In sum, the usual agenda of leftist internationalism.

The author rejects contemporary liberalism's usual defenses. Who could ask for more?

In our author's opinion, world government is far more than an ideal: it is a demand of reason. The argument Dr. George advances to show this strikes me as singularly unimpressive. Natural law, when applied to politics, we learn,

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seeks the common good. To find it, we must discover the "complete" or self-sufficient community. The nation-state no longer suffices.

"In other words," Dr. George writes, "the national state can no longer (if it ever could) secure the conditions of its citizens' overall well-being...without the active assistance of supranational institutions, at least some of which must possess powers to enforce multilateral agreements and international law" (p. 235).

If a nation chooses not to cooperate with the world government, such insolence cannot be tolerated. "[S]ubmission to the jurisdiction of a just world government is not morally optional"; resistance to its dictates is "the sort of practical unreasonableness in political affairs that the natural law tradition treats as a paradigmatic case of injustice" (p. 241).

Dr. George's reasoning is specious. He argues that because certain problems extend beyond the scope of single nations, a world authority is mandated. He fails utterly to show, however, that governmental action of any kind is necessary. Granted, the government of a single nation cannot control what happens outside its jurisdiction; but it begs the question to assume that there must be some jurisdiction that controls all relevant factors. As Murray Rothbard long ago pointed out in criticizing Yves Simon, many natural law theorists confuse the state with society. Dr. George is, in his own words, a "paradigmatic case" of such confusion.

Perhaps I have so far been unfair to Dr. George. From a classical-liberal perspective, he is, to say the least, not altogether sound on international affairs. But why judge him solely on this front? Does he do better on domestic issues?

Alas, here too he manifests a naive confidence in the state's good offices. Because pornography depraves and corrupts, the state must act to suppress it. Since "vulnerability to the risk of anarchic sexuality is by no means confined to the young" (p. 190), censorship should not be restricted to material available to juveniles. The state must police the moral environment for adults as well.

In our author's opinion, world government is far more than an ideal: it is a demand of reason. The argument advanced to show this strikes me as singularly unimpressive.

One wonders how far Dr. George is prepared to go in this connection. Since "racism," a term he does not define, is in his view a manifest evil, may the state suppress "politically incorrect" opinions? He writes, "there is no reason to give a respectful hearing to those who would revive those [racial] prejudices or stir up the residue of racial prejudice that, alas, remains" (p. 323).

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Dr. George deserves praise for his defense of a high standard of sexual morality; but from a classical-liberal perspective, he errs in not developing a theory of individual rights. On what basis may the state coerce people for their own good? Dr. George has no answer: to reiterate that it is for their own good, that pornography really is bad, ignores the question. Why is it a sufficient criterion for state intervention that it aims to counter immorality?

Dr. George would no doubt reply that it is I who here beg the question against him. He rejects the classical-liberal position; why then do I take for granted its truth in criticizing him?

Very well then. Suppose one rejects totally any Lockean notion of individual rights. Away with self-ownership! Let us hear no more of rights, but only of the common good. Even on this basis, does Dr. George really want to give the state a large role in promoting morality? Since when has the state been a reliable source for good in the world? Surely to look at the state is to ignore all historical experience, let alone original sin.

If our author is no great shakes as a political theorist, it does not follow that his book is useless. Most of the volume, after all, concerns itself not with a political program, but with the defense of a theory of natural law. Is this not an indispensable task? Why not, if possible, use Dr. George's work on natural law to construct a politics more to our liking?

I fear that the project suggested is futile. Dr. George's natural law is no better than his politics. When most people speak of natural law, what they have in mind is the contention that morality can be derived from human nature. If human beings are rational animals of such-and-such a sort, then the moral virtues are...(filling in the blanks is the difficult part).

Dr. George rejects this sort of natural law altogether. According to Germain Grisez and John Finnis, whom

On what basis may the state coerce people for their own good? Dr. George has no answer.

our author closely follows, neo-scholastic natural law theorists commit the naturalistic fallacy. Moral requirements do not follow from facts about human nature. The standard approach to natural law "involves the naturalistic fallacy of purporting to infer moral norms from facts about human nature. Logically, a valid conclusion cannot introduce something that is not in the premises" (p. 84). Natural law not based on human nature: that is indeed *Hamlet* without the Danish prince.

Before we consider the "new and improved" natural law, let us examine the argument Dr. George has just presented. Defenders of the older view

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maintain that moral laws follow from facts about human nature. Just what they contend, obviously, is that their chosen premises entail their conclusions. In other words, in their view, the conclusions they derive are "in" their chosen premises.

To say that something is "in" or "contained in" a set of premises is to use a metaphor: what is meant is that the "something" in question logically follows from the set. Dr. George's claim that natural law theory commits the naturalistic fallacy, then, begs the question. All he is saying is that their conclusions do not follow from their premises. But he has not shown this: in appealing to the naturalistic fallacy, he merely repeats his assertion of error.

What then do Grisez, Finnis, and George put in place of the standard view? In the new doctrine, one begins with a list of basic goods. These include life, health, marriage, religion, and play. These goods serve as rational grounds for action. If you act for some ultimate end that is not on Dr. George's "A" list, then you are irrational. If, say, you do something just because it gives you pleasure, you have no ground in reason for your act.

All this strikes me as arbitrary. The basic goods do indeed provide plausible grounds for action, but why only these? Why, in particular, isn't it a good reason to do something that gives you pleasure? For that matter, why isn't "just because I want to" a sufficient reason for action? Of course, what gives you pleasure may be morally wrong or otherwise subject to challenge. But at this point Dr. George has not yet introduced morality. All he claims to do is to offer a list of grounds for action, and his list appears arbitrary.

The rest of the "new natural law" lands us in total confusion. The basic goods, he contends, are incommensurable. How then are you to decide what to do? The answer lies in the fundamental principle of morality, which is never to act directly against a basic good. Thus, you may not bomb innocent civilians in order to restore Albanians to their homes in Kosovo.

> Natural law not based on human nature: that is indeed *Hamlet* without the Danish prince.

So far, so good. But the basic principle also seems to imply that you should not use your favorite sand wedge in order to pry loose a pit bull biting a baby, if doing so will destroy the wedge. To do so is to act against the basic good of play. Dr. George knows of counterexamples of this sort; but his attempt to cope with them is lame. But my opinion is not an argument, and readers should assess his discussion for themselves. (He deals with the criticism in Chapter 4, "Does the Incommensurability Thesis Imperil Common

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Sense Moral Judgments?" My golf example attempts to sharpen the example that Dr. George discusses on page 94ff.)

Dr. George's theory also includes other remarkable claims. It appears to be a consequence of his view of what makes non-marital sex immoral that ascetic practices are also immoral. You must not, our author thinks, use your body as an instrument to achieve certain mental sensations; but do not mystics who mortify themselves in order to attain spiritual ecstasy do just that? Dr. George's wish to defend high moral standards, I repeat, is admirable; but his reasons in support of these standards baffle me. I wish, in Byron's phrase, that he would "explain his explanations." ✦

The Social Chaos Courts Cause

The End of Democracy II: A Crisis of Legitimacy

Edited by Mitchell S. Muncy
Spence Publishing Company, 1999,
xlviii + 287 pgs.

There is nothing like a good target to get a writer going, and the contributors to this excellent symposium have found a very worthy target indeed. The Supreme Court has, since the New Deal, engaged in acts of gross usurpation of power. What principally concerns these authors, however, is more specific.

The decision of the Court in *Roe v. Wade* (1973), striking down state laws against abortion, and subsequent cases reaffirming that ruling, outrages them. They regard abortion as murder; and the fact that the government permits this practice raises doubts in the minds of some of them as to whether they can continue to recognize the American government as legitimate.

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Abortion is a subject guaranteed to induce passionate argument; and since I always avoid controversy, I shall say no more about it. At any rate, abortion is more the releasing cause of their book than its principal theme. Their anger with the Court has led them to produce some of the most original and valuable criticisms of the Court's jurisprudence that I have seen.

First, though, an objection must be dealt with. The contributors condemn abortion, and practices such as

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euthanasia that they see as part of the same mind-set, because these practices violate natural law. But if ostensible laws that contravene the law of nature have no force, does this not open the door to exactly the judicial activism that our contributors deplore?

It appears to do so in this way. Suppose a court must decide a case that involves an immoral law. Must not the court strike down this law? Remember, on the view we here examine, the judgment that a law is immoral reflects more than a mere subjective preference. On the contrary, the immorality of the law, by hypothesis, is a direct dictate of the law of nature.

This argument moves too fast. Robert P. George, in "Justice, Legitimacy, and Allegiance" identifies the mistake. Yes, this is the same Robert George whose book induced me, elsewhere in this issue, to say unkind things. With strict impartiality, I am always ready to give praise where it is due.

As Dr. George points out, it does not follow from the fact that a law is wrong that it is the duty of a particular agency of the government to act against it. This depends on the legal system of the particular regime. He notes, "But if, as I think, and as the Pope teaches, and as Justice Scalia agrees, abortion is the unjust killing of innocent human beings who, as a matter of right, are entitled to the equal protection of the laws, then there is a problem for a democracy in permitting abortion. (*Of course, whether it is a problem that judges in any particular democratic society are empowered to do anything about is another question*)" (p. 92, emphasis added).

The key point, in brief, is this. It is a very different thing to say that a law violates a natural law and to say that the law is unconstitutional. Whether the Supreme Court can do the latter is a matter of constitutional interpretation and prudence. One can, then, consistently hold both that abortion violates natural law and that the Supreme Court has no business passing on its constitutionality.

Defenders of natural law, then, need not support an activist Supreme Court. But why oppose it? For one thing, as several contributors stress, the modern Court has advanced claims

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to rule that hardly fall short of dictatorship. In *Planned Parenthood v. Casey* (1992), the Court held that doubts over whether *Roe v. Wade* was properly decided should be put aside. If *Roe v. Wade* were reversed, the legitimacy of the Court would be in question.

And this, the Court made clear, must not happen. "The Court's power

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The protest against the Court's language in *Casey* should not be that it makes unprecedented claims, but that it advanced a manifestly false claim.

lies...in its legitimacy, a product of substance and perception that shows itself in the people's acceptance of the Judiciary as fit to determine what the Nation's law means and to declare what it demands" (p. 31, quoting the majority opinion in *Casey*).

Russell Hittinger can barely contain himself when he examines this decision. (Incidentally, Professor Hittinger has written the best criticism of the Grisez and Finnis "new natural law": *A Critique of the New Natural Law Theory* University of Notre Dame Press, 1987. Dr. George's reply, *In Defense of Natural Law*, p. 59ff., should also be consulted.) As he sees matters, the Court has made an unprecedented claim; "Were an executive officer to define his power in this fashion (i.e., in the just quoted excerpt from *Casey*), we might suspect it was Mussolini. It is a doctrine not merely of supremacy in law, but of what I shall call exemplarism. An organ of government is legitimate insofar as it is able to speak the voice of the whole people, and insofar as the people are able to hear their own voice in it" (p. 31).

Mr. Hittinger rightly objects both to exemplarism and the Court's reasoning in *Casey*; but I do not think he is right to characterize the Court's argument as exemplarist. On Hittinger's account, an exemplarist claims that he expresses the will of the people. I cannot think that the Court in *Casey* did this.

Rather, it claimed that in special cases, where public opinion was sharply divided, the Court could end the "intensely divisive controversy" by calling upon everyone to accept "a common mandate rooted in the Constitution" (p. 32, quoting *Casey*).

The Court's argument here is not that it expresses the popular will, but that it is the interpreter of the Constitution. The protest against the Court's language in *Casey* should not be that it makes unprecedented claims—it had asserted supremacy in interpretation before—but that it advanced a manifestly false claim. The "intensely divisive controversy" about abortion has not abated since *Roe*—far from it. People have not rallied to the common constitutional mandate proposed by the Court. Thus, it is silly for the Court to appeal to a nonexistent mandate as a reason against the reversal of *Roe v. Wade*.

The really outrageous claim of the Court is, to my mind, not that it exemplifies the popular will. Precisely the usurpatory claim is that the Court's decisions interpreting the Constitution are, by the Supremacy Clause of the Constitution, part of "the supreme law of the land." This assertion of power

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stems not from *Casey* but from *Cooper v. Aaron* (1957).

Oddly, Mr. Hittinger does not take *Cooper v. Aaron* very seriously. He admits that in the opinion "we find some incautious remarks about judicial authority, which, if not qualified, would amount to a new doctrine of judicial supremacy" (p. 35). He thinks, though, that to stress unduly these passages is to read the decision in a "flat-footed way." Actually, what is at stake in the opinion "is not the exclusive supremacy of the judiciary, but of the federal government in matters reached by the Fourteenth Amendment" (p. 36).

The author fails to see the importance of states' rights for the preservation of constitutional government.

Here Mr. Hittinger, like at least two other contributors, has been led astray by overconcentration on the Court's misdeeds since *Roe*. He fails to see the importance of states' rights for the preservation of constitutional government: the unlimited assertion of federal sovereignty is, just as much as the Court decisions that aroused his ire, the product of usurpation.

Far sounder, in my opinion, is Dr. George W. Carey, who recognizes that "[S]hortly after the *Brown* decision in the mid-1950s which called for the desegregation of the public schools, a majority of the Court declared for the first time that the Constitution means what the Court says it means and that its decisions are constitutionally binding on the other branches. This declaration was something new under the constitutional sun" (p. 235).

To grasp Professor Carey's point requires us to put the civil rights decisions, and even the constitutional validity of the Fourteenth Amendment, into question. This is a step that, I suspect, several of the contributors cannot bring themselves to take. But take it they must. Otherwise, they lack an adequate basis to oppose the Court's rulings in the abortion cases.

Mr. Hittinger's criticism of exemplarism will not do the job he has in mind for it. Even if Hittinger has correctly interpreted the Court's claim in *Casey*, and one rejects exemplarism, the case for opposition to the Court remains incomplete.

A defender of the Court might say to Mr. Hittinger, "All right, you win. We shall abandon exemplarism. But the Supreme Court is still the final interpreter of the Constitution. You must accept *Roe v. Wade* as legally binding, even if the Court does not express the popular will." To challenge the Court, one needs to reject *Cooper v. Aaron*.

The Court, according to our contributors, has gone badly wrong. What intellectual errors led the Court to its repellent decisions in *Roe*? Mr. Gary

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Glenn locates the source of the error as far back as *Dred Scott* (1857). Mr. Glenn sees a tension between majority rule and judicial review. Is it democratic for a few judges to overturn the public's will?

Unlike Progressives such as Theodore Roosevelt, who wished drastically to limit judicial authority to overturn acts of Congress, Mr. Glenn wishes to retain judicial review. But the Court should invalidate legislation only if it is clearly unconstitutional.

If the legislation is not on its face repugnant to the Constitution, then the Court must accept it even if there is a case to be made that Congress has acted unconstitutionally. This doctrine, termed "practical construction" was, according to Justice Curtis's dissent in *Dred Scott*, the rule of interpretation the Court followed from its inception until 1857.

Is it democratic for a few judges to overturn the public's will?

I am not sure that this position is correct. What is the textual basis in the Constitution for this rule? But Mr. Glenn, like the other contributors, has raised suggestive points. ✦

A Manifesto Without Evidence

The Great Disruption: Human Nature and the Reconstitution of Social Order

Francis Fukuyama
The Free Press, 1999, xii + 354 pgs.

This is not a bad book, but almost every major thesis in it is wrong or unproved. According to our author, human society depends to a large extent on "social capital." This he defines as "a set of informal values or norms shared among members of a group that permits cooperation among them. If members of the group come to expect that others will behave reliably and honestly, they will come to trust one another" (p. 16).

Danger lies at hand. Since the 1960s, social capital in the United States and Europe has become depleted, as rising crime rates and increased family disruption demonstrate. This is the great disruption referred to in the book's title.

Fortunately, we need not despair. Strong biological tendencies urge human beings toward cooperation, limiting the extent to which social capital can dissipate. Further, people are capable of cooperative behavior spontaneously, as game theory illustrates. But biology and spontaneous cooperative

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behavior do not suffice: for a well-functioning and just society, hierarchical elements must be present. A complex mixture, no doubt. But we can take solace in the upward trend of history toward universal acceptance of liberal capitalism.

In one sense, Mr. Fukuyama's thesis that civilization rests on social capital cannot be challenged. He sometimes uses social capital and trust as synonyms for cooperative behavior. Of course, in this sense he is right: as Mises never tired of insisting, only social cooperation through the division of labor enables human beings to survive above the level of animals.

From the undoubted fact that social capital in this sense is essential to civilization, it does not follow that people, in order to prosper, must trust each other in a way that goes beyond rational self-interest. Mr. Fukuyama argues, on grounds of evolutionary biology, that human beings have natural instincts to cooperate and trust one another. He does not contend that evolution developed these instincts apart from individuals' self-interest, but the self-interest involved here is not present-day conscious self-interest. Rather, it is self-interest in the sense of genetic fitness of our supposed evolutionary ancestors that is here involved.

In brief, Mr. Fukuyama thinks we have social instincts. These need not lead us to do what is in our rational self-interest, as dictated by the conscious disposition of means to best achieve what we want. But these instincts became embedded in us because evolution favored those who had them.

This is not a bad book, but almost every major thesis in it is wrong or unproved.

After this long-winded account of what Mr. Fukuyama is saying, we can return to the question of whether he is right. I cannot see that he has shown that social trust, in the sense of instincts for social behavior, is needed to establish a complex society. Why is it not enough if people recognize, entirely consciously, that social cooperation is to the advantage of each of them?

I do not say that this is all that is involved in civilized societies; but rather that our author has failed to show that social trust in his stronger sense is necessary. Cannot mistrustful individuals engage in mutually beneficial trade?

If there is anything to this line of thought, Mr. Fukuyama's notion of a Great Disruption contains a crucial gap. Suppose he is right that social trust, in the sense of actions based on inherited social instincts, has gone down. It may still be the case that social cooperation does not atrophy, since people may recognize it is in

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their self-interest to cooperate. If so, the Disruption may not amount to so much as our author thinks. Once more, I do not assert that the hypothesis just canvassed is true: but Mr. Fukuyama has not shown it false, and he needs to do so if his thesis is to stand.

Another difficulty in the idea of a Great Disruption our author recognizes: "It should be noted at the outset that there is one very serious problem with using social dysfunction data as a negative measure of social capital: it ignores distribution. Just as conventional capital is unevenly distributed within a society...so social capital is also likely to be unevenly distributed: strata of highly socialized, self-organizing people may coexist with pockets of extreme atomization and social pathology" (p. 23). Thus, increases in crime, drug use, family breakups, etc., may not show a general downturn in trust. But though our author recognizes the problem, he nevertheless goes ahead exactly as if it did not exist.

And there is a further problem our author does not recognize. Some of the measures of social dysfunction he adopts seem entirely compatible with high levels of social trust, even among the dysfunctional people themselves. Why cannot people from broken homes trust one another in their business and social affairs? Need drug users be socially mistrustful?

Again, suppose that Mr. Fukuyama is entirely right: social pathology does measure social trust, and there has been a sharp increase in social pathology since the 1960s. Is the thesis of a *Great Disruption* proved?

I do not think so. It does not follow that whenever social capital goes down, that this has untoward consequences for society. For all he has shown to the contrary, the optimal rate of social trust has come closer to achievement, because of the increase in antisocial behavior. Maybe the rate of trust was too high before: who says there cannot be an oversupply of social capital?

Cannot mistrustful individuals engage in mutually beneficial trade?

In any case, Mr. Fukuyama has argued that there has been a Great Disruption. He spends the remainder of the book trying to show that grounds for hope exist. Humpty-Dumpty has had a great fall, and now Mr. Fukuyama proposes to put him together again.

He does so principally by appeal to evolutionary biology. As suggested earlier, he thinks that evolution has implanted social instincts in us. These have evolved, not through group selection, but according to what promoted the inclusive fitness of our ancestors. (Readers unfamiliar with this term should read our author's brief reprise of Richard Dawkins's *The Selfish Gene*, pp. 168–69.)

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Evolutionary explanations of behavior are all the rage nowadays, but they seem highly speculative in the bad sense. As Mr. Fukuyama recognizes, "It is, of course, both easy and dangerous to draw facile comparisons between animal and human behavior. Human beings are different from chimpanzees precisely because they do have culture and reason, and can modify their genetically controlled behavior in any number of complex ways" (p. 165). Nevertheless, he assures us that findings from primatology do give us insight into politics. Once again, our author states a problem and then passes by untroubled.

I confess though, that I very much doubt the alleged facts will ever be shown to have any relevance for social thought.

Again, though, suppose I am mistaken: it has happened. Evolutionary biology, we shall suppose, succeeds entirely in explaining human behavior and it does show that human beings have social instincts. (I confess, though, that I very much doubt that the alleged facts that preferences stem from the limbic system and rational thought from the neocortex will ever be shown to have any relevance for social thought [p. 182]).

The imagined success of evolutionary explanations of social instincts gives us little grounds for thinking that the *Great Disruption* is limited in its scope. If Mr. Fukuyama is correct that there has been a Great Disruption, then whatever the constraints of evolution, they by hypothesis did not prevent some degree of disruption in social capital. If this degree, why not more? Why not enough disruption to create total social chaos? We are left in the dark.

Mr. Fukuyama, I fear, has a penchant for assertion without evidence. He informs us that "[h]ierarchy is necessary to correct the defects and limitations of spontaneous order" (p. 234); but the defects in question appear to be that, without the hierarchical "charismatic" leadership, societies will not be governed by the universal values he thinks appropriate. Without legislation in the 1960s, e.g., "popular norms on race" might not have changed (p. 234). In order to come to a reasoned judgment on our author's case for hierarchy, one would need to know in some detail the nature of the universal values only hierarchy can secure.

One would also have to have an argument that these values ought to be supported rather than resisted. These our author does not provide. He gives us instead a brief sketch of his version of historical progress (pp. 280–81).

The Great Disruption contains an abundance of material on various areas of social science, and is for this reason worth reading. Mr. Fukuyama confuses behaviorism, a school of psychology, with behavioralism, a movement in

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political science; in any case, William James was not, as our author thinks, a behaviorist (p. 73). The remark "social capital is not a public good but a private good pervaded by externalities" (p. 251) suggests that Mr. Fukuyama's grasp of the nature of a public good is not altogether solid. ✦

CHECKING PREMISES

"Catholicism, Calvinism, and the Comparative Development of Economic Doctrine"

BY DAVID L PRYCHITKO
RESEARCH IN THE HISTORY OF ECONOMIC THOUGHT AND METHODOLOGY
VOLUME 16 (1998), PP. 241–58

In the course of a largely appreciative review of Murray Rothbard's *An Austrian Perspective on the History of Economic Thought*, David Prychitko, who has long positioned himself as an anti-Rothbardian, makes a few mistakes worthy of attention. Our author, as a hermeneuticist in good standing, must get in at least a few shots at "a leading Austrian of the doctrinaire Misesian wing, with its insistence on apodictic theoretical truths" (p. 243).

What better way to disconcert a supporter of deductivism than to show that he stands guilty of logical error? Rothbard, it seems, "burns entire schools of thought (Ricardian, Walrasian, and Keynesian being his favorite sacrifices) as necessarily false and useless simply because they incorporate descriptively false assumptions.... This suggests that Rothbard remained misinformed about basic logic" (p. 252).

How has Rothbard lapsed into mortal sin? He has ignored the elementary fact that false premises need not entail false conclusions. Mr. Prychitko is perfectly correct that valid reasoning from false premises need not transmit falsity to the conclusion. But Rothbard has made only a trivial slip; and the main point he endeavors to make in the passage our author attacks is both true and important.

What better way to disconcert a supporter of deductivism than to show that he stands guilty of logical error?

Rothbard's target was the system of David Ricardo, which, in his view incorporated false assumptions "into the initial axioms" (p. 256, quoting Rothbard). A deductive system begins with certain initial axioms and from them derives various theorems. It is the truth of the initial premises that guarantees the

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truth of the conclusions. Without true axioms, our deductive system stands on air.

The conclusions of the deductive system may, given false premises, turn out to be true. But the fact that they can be derived from false premises gives us no reason to think that they are true. Thus, Rothbard's sin was venial and his basic point insightful. Ricardo aimed at establishing certain propositions deductively. If his axioms are false, he has failed. Rothbard is right that such deductions are "useless and misleading."

I fear that Mr. Prychitko's grasp of logic is itself not above reproach. He writes "[K]nowing only the truth or falsity of the first premise does not inform us of the truth or falsity of the conclusions" (p. 252). But if your premises are true, then whatever validly follows from them is also true. The principle that valid inference transmits truth from premises to conclusions is the whole basis of the deductive method. I hope that our author does not consider this basic principle of reasoning to be doctrinaire.

A few other points in Mr. Prychitko's essay warrant mention. Why does he think that if, during the "scholastic culture of High Catholicism...scholars and theologians were struggling with the basic presuppositions of early Catholic faith and the dynamic competitiveness of nascent capitalism" (p. 257), this shows that the scholastics had not established a paradigm in economics? If our author

It is the truth of the initial premises that guarantees the truth of the conclusions. Without true axioms, our deductive system stands on air.

is right, the scholastics struggled with the ethical justification of capitalism: this is entirely consistent with holding an agreed-upon account of economic theory.

Mr. Prychitko may deny this, I suspect, because he thinks that questions of value cannot be separated from factual issues. But this view is his and not Rothbard's, and he should not take for granted its truth in criticizing him.

Further, why does our author suggest that Rothbard held, nonsensically, that "radical milleniallism among the Anabaptists" was "an early effect of Calvinism" (p. 248)? ✦

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